

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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THE NEW YORK TIMES COMPANY, : No. 1:23-cv-11195-SHS-OTW
Plaintiff, :
v. :
MICROSOFT CORPORATION, OPENAI, :
INC., OPENAI LP, OPENAI GP, LLC, :
OPENAI, LLC, OPENAI OPCO LLC, :
OPENAI GLOBAL LLC, OAI :
CORPORATION, LLC, and OPENAI :
HOLDINGS, LLC, :
Defendants. :
:----- X
DAILY NEWS, LP; CHICAGO TRIBUNE : No. 1:24-cv-03285-SHS-OTW
COMPANY, LLC; ORLANDO SENTINEL :
COMMUNICATIONS COMPANY, LLC; :
SUN-SENTINEL COMPANY, LLC; SAN :
JOSE MERCURY-NEWS, LLC; DP MEDIA :
NETWORK, LLC; ORB PUBLISHING, :
LLC; AND NORTHWEST :
PUBLICATIONS, LLC, :
Plaintiffs, :
v. :
MICROSOFT CORPORATION, OPENAI, :
INC., OPENAI LP, OPENAI GP, LLC, :
OPENAI, LLC, OPENAI OPCO LLC, :
OPENAI GLOBAL LLC, OAI :
CORPORATION, LLC, OPENAI :
HOLDINGS, LLC, :
Defendants. :
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THE CENTER FOR INVESTIGATIVE	:	
REPORTING, INC.,	:	No. 1:24-cv-04872-SHS-OTW
Plaintiff,	:	
	:	
v.	:	
	:	
OPENAI, INC., OPENAI GP, LLC,	:	
OPENAI, LLC, OPENAI OPCO LLC,	:	
OPENAI GLOBAL LLC, OAI	:	
CORPORATION, LLC, OPENAI	:	
HOLDINGS, LLC, and MICROSOFT	:	
CORPORATION,	:	
Defendants.	:	
	:	
	X	

**OPENAI'S RESPONSE IN SUPPORT OF PLAINTIFF'S MOTIONS FOR LEAVE TO
FILE UNDER SEAL**

Pursuant to Paragraph 22 of the Protective Order (ECF 127), Defendants OpenAI, Inc., OpenAI LP, OpenAI GP, LLC, OpenAI LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation LLC, and OpenAI Holdings, LLC (collectively, “OpenAI”) respond to Plaintiff New York Times Company’s (“The Times”) Motions for Leave to File Under Seal (ECF 312 and ECF 318) filed in connection with The Times’s recent letter motions to compel (ECF 313 and ECF 322). For the reasons explained in the accompanying Memorandum of Law and the Declaration of Michael Trinh,¹ OpenAI respectfully requests the Court grant The Times’s Motions. Specifically, OpenAI seeks to maintain the following material under seal:

- Limited portions of The Times’s letter Motion to Compel at ECF 313;

¹ The accompanying Memorandum of Law and Declaration of Michael Trinh (ECF 335 and ECF 336, respectively) were also filed on November 21, 2024 in support of OpenAI’s Motion for Leave to File Under Seal (ECF 334).

- Exhibits 1-10 to The Times's letter Motion to Compel at ECF 313 (ECF 313-1, 313-2, 313-3, 313-4, 313-5, 313-6, 313-7, 313-8, 313-9, 313-10);
- Limited portions of The Times's letter Motion to Compel at ECF 322;
- Limited portions of Exhibit 1 to The Times's letter Motion to Compel at ECF No. 322 (ECF 322-1); and
- Exhibit 3-5 to The Times's letter Motion to Compel at ECF 322 (ECF 322-3, 322-4, and 322-5).

For these reasons, OpenAI respectfully requests the Court grant The Times's Motions.

Dated: November 25, 2024

Respectfully Submitted,

By: /s/ Rose S. Lee

MORRISON & FOERSTER LLP

Joseph C. Gratz (*pro hac vice*)

jgratz@mofo.com

Andrew L. Perito (*pro hac vice*)

aperito@mofo.com

Vera Ranieri (*pro hac vice*)

vranieri@mofo.com

425 Market Street

San Francisco, CA 94105

Telephone: 415.268.7000

Rose S. Lee (*pro hac vice*)

roselee@mofo.com

707 Wilshire Boulevard, Suite 6000

Los Angeles, CA 90017-3543

Telephone: 213.892.5200

Carolyn M. Homer (*pro hac vice*)

cmhomer@mofo.com

2100 L Street, NW, Suite 900

Washington, DC 20037

Telephone: 202.650.4597

Jocelyn E. Greer

jgreer@mofo.com

Emily C. Wood

ewood@mofo.com

Eric K. Nikolaides

enikolaides@mofo.com

250 West 55th St.

New York, NY 10019-9601

Telephone: 212.468.8000

By: /s/ Elana Nightingale Dawson

LATHAM & WATKINS LLP

Andrew M. Gass (*pro hac vice*)

andrew.gass@lw.com

Joseph R. Wetzel

joseph.wetzel@lw.com

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

Telephone: 415.391.0600

Sarang V. Damle
sy.damle@lw.com
Elana Nightingale Dawson (*pro hac vice*)
elana.nightingaledawson@lw.com
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004
Telephone: 202.637.2200

Allison L. Stillman
alli.stillman@lw.com
Michael A. David
michael.david@lw.com
Rachel R. Blitzer
rachel.blitzer@lw.com
Herman H. Yue
herman.yue@lw.com
Luke A. Budiardjo
luke.budiardjo@lw.com
1271 Avenue of the Americas
New York, NY 10020
Telephone: 212.906.1200

By: /s/ Christopher S. Sun

KEKER, VAN NEST & PETERS LLP
Robert A. Van Nest (*pro hac vice*)
rvannest@keker.com
Paven Malhotra
pmalhotra@keker.com
Michelle S. Ybarra (*pro hac vice*)
mybarra@keker.com
Nicholas S. Goldberg (*pro hac vice*)
ngoldberg@keker.com
Thomas E. Gorman (*pro hac vice*)
tgorman@keker.com
Katie Lynn Joyce (*pro hac vice*)
kjoyce@keker.com
Sarah Salomon (*pro hac vice*)
ssalomon@keker.com
R. James Slaughter (*pro hac vice*)
rslaughter@keker.com
Christopher S. Sun (*pro hac vice*)
csun@keker.com

Andrew S. Bruns (*pro hac vice*)

abrungs@keker.com

Andrew Dawson (*pro hac vice*)

adawson@keker.com

Edward A. Bayley (*pro hac vice*)

ebayley@keker.com

633 Battery Street

San Francisco, CA 94111-1809

Telephone: 415.391.5400

Attorneys for OpenAI Defendants